

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Downstate Forest Preserve District Act is
5 amended by changing Section 3c as follows:

6 (70 ILCS 805/3c)

7 Sec. 3c. Elected board of commissioners in certain
8 counties. If the boundaries of a district are co-extensive with
9 the boundaries of a county having a population of more than
10 800,000 but less than 3,000,000, all commissioners of the
11 forest preserve district shall be elected from the same
12 districts as members of the county board beginning with the
13 general election held in 2002 and each succeeding general
14 election. One commissioner shall be elected from each district.
15 At their first meeting after their election in 2002 and
16 following each subsequent decennial reapportionment of the
17 county under Division 2-3 of the Counties Code, the elected
18 commissioners shall publicly by lot divide themselves into 2
19 groups, as equal in size as possible. Commissioners from the
20 first group shall serve for terms of 2, 4, and 4 years; and
21 commissioners from the second group shall serve terms of 4, 4,
22 and 2 years. Beginning with the general election in 2002, the
23 president of the board of commissioners of the forest preserve

1 district shall be elected by the voters of the county, rather
2 than by the commissioners. The president shall be a resident of
3 the county and shall be elected throughout the county for a
4 4-year term without having been first elected as commissioner
5 of the forest preserve district. Each commissioner shall be a
6 resident of the county board district from which he or she was
7 elected not later than the date of the commencement of the term
8 of office. The term of office for the president and
9 commissioners elected under this Section shall commence on the
10 first Monday of the month following the month of election.
11 Neither a commissioner nor the president of the board of
12 commissioners of that forest preserve district shall serve
13 simultaneously as member or chairman of the county board. No
14 person shall seek election to both the forest preserve
15 commission and the county board at the same election. The
16 president, with the advice and consent of the board of
17 commissioners shall appoint a secretary, treasurer, and such
18 other officers as deemed necessary by the board of
19 commissioners, which officers need not be members of the board
20 of commissioners. The president shall have the powers and
21 duties as specified in Section 12 of this Act.

22 Candidates for president and commissioner shall be
23 candidates of established political parties.

24 If a vacancy in the office of president or commissioner
25 occurs, other than by expiration of the president's or
26 commissioner's term, the forest preserve district board of

1 commissioners shall declare that a vacancy exists and
2 notification of the vacancy shall be given to the county
3 central committee of each established political party within 3
4 business days after the occurrence of the vacancy. If the
5 vacancy occurs in the office of forest preserve district
6 commissioner, the president of the board of commissioners
7 shall, within 60 days after the date of the vacancy, with the
8 advice and consent of other commissioners then serving, appoint
9 a person to serve for the remainder of the unexpired term. The
10 appointee shall be affiliated with the same political party as
11 the commissioner in whose office the vacancy occurred and be a
12 resident of such district. If a vacancy in the office of
13 president occurs, other than by expiration of the president's
14 term, the remaining members of the board of commissioners
15 shall, within 60 days after the vacancy, appoint one of the
16 commissioners to serve as president for the remainder of the
17 unexpired term. In that case, the office of the commissioner
18 who is appointed to serve as president shall be deemed vacant
19 and shall be filled within 60 days by appointment of the
20 president with the advice and consent of the other forest
21 preserve district commissioners. The commissioner who is
22 appointed to fill a vacancy in the office of president shall be
23 affiliated with the same political party as the person who
24 occupied the office of president prior to the vacancy. A person
25 appointed to fill a vacancy in the office of president or
26 commissioner shall establish his or her party affiliation by

1 his or her record of voting in primary elections or by holding
2 or having held an office in an established political party
3 organization before the appointment. If the appointee has not
4 voted in a party primary election or is not holding or has not
5 held an office in an established political party organization
6 before the appointment, the appointee shall establish his or
7 her political party affiliation by his or her record of
8 participating in an established political party's nomination
9 or election caucus. If, however, more than 28 months remain in
10 the unexpired term of a commissioner or the president, the
11 appointment shall be until the next general election, at which
12 time the vacated office of commissioner or president shall be
13 filled by election for the remainder of the term.
14 Notwithstanding any law to the contrary, if a vacancy occurs
15 after the last day provided in Section 7-12 of the Election
16 Code for filing nomination papers for the office of president
17 of a forest preserve district where that office is elected as
18 provided for in this Section, or as set forth in Section 7-61
19 of the Election Code, a vacancy in nomination shall be filled
20 by the passage of a resolution by the nominating committee of
21 the affected political party within the time periods specified
22 in the Election Code. The nominating committee shall consist of
23 the chairman of the county central committee and the township
24 chairmen of the affected political party. All other vacancies
25 in nomination shall be filled in accordance with the provisions
26 of the Election Code.

1 The president and commissioners elected under this Section
2 may be reimbursed for their reasonable expenses actually
3 incurred in performing their official duties under this Act in
4 accordance with the provisions of Section 3a. The reimbursement
5 paid under this Section shall be paid by the forest preserve
6 district.

7 Compensation for the president and the forest preserve
8 commissioners elected under this Section shall be established
9 by the board of commissioners of the forest preserve district.

10 At the next general election after the effective date of
11 this amendatory Act of the 98th General Assembly, the question
12 of whether the president and forest preserve district
13 commissioners shall serve without compensation shall be
14 presented to the voters of the county in which a forest
15 preserve district described under this Section is located.

16 The proposition shall be in substantially the following
17 form:

18 Shall the president and forest preserve district
19 commissioners of (name of forest preserve district) serve
20 without compensation, except that they shall be reimbursed
21 for their reasonable expenses?

22 The votes shall be recorded as "Yes" and "No".

23 If a majority of the votes cast are in favor of the
24 proposition, the president and forest preserve commissioners
25 whose terms begin on and after the effective date of this
26 amendatory Act of the 98th General Assembly shall serve without

1 compensation, except that they shall be reimbursed for their
2 reasonable expenses actually incurred in performing their
3 official duties under this Act in accordance with the
4 provisions of Section 3a. The reimbursement paid under this
5 Section shall be paid by the forest preserve district.

6 This Section does not apply to a forest preserve district
7 created under Section 18.5 of the Conservation District Act.

8 (Source: P.A. 94-617, eff. 8-18-05; 94-900, eff. 6-22-06.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.